



The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 33

Shillong, Wednesday, March 10, 2021

19th Phalgun, 1942 (S. E.)

PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATION

The 10th March, 2021.

No.LB.45/LA/2021/2. – The Meghalaya Lokayukta (Amendment) Bill, 2021 introduced in the Meghalaya Legislative Assembly on the 10th March, 2021 together with the Statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

THE MEGHALAYA LOKAYUKTA (AMENDMENT) BILL, 2021**A
BILL**

Further to amend the Meghalaya Lokayukta Act, 2014 (Meghalaya Act. No. 4 of 2014) (hereinafter referred to as the Principal Act).

Be it enacted by the Legislature of the State of Meghalaya in the Seventy-second Year of the Republic of India as follows:-

Short title and commencement. 1. (1) This Act may be called the Meghalaya Lokayukta (Amendment) Act, 2021.
(2) It shall come into force on the date of publication in the Official Gazette.

Amendment of Section 3. 2. (1) In clause (a) of sub-section (2), after the semi-colon, the word "and" shall be substituted by the word "or";
(2) Clause (b) of sub-section (2), shall be substituted by the following, namely,-
"(b) such number of members, not exceeding four; or"
(3) After clause (b) of sub-section (2), following clause (c) shall be inserted, namely,-
"(c) A Chairperson and such number of members, not exceeding four."
(4) After sub-section (4), the following subsection (5) shall be inserted namely,-
"(5) Notwithstanding anything contained in the provisions of this Act or any other law for the time being in force, the Lokayukta shall be deemed to be constituted upon the appointment of a Chairperson or a Member."

Substitution of Section 5. 3. Section 5 of the Principal Act, shall be substituted by the following, namely,-
"5. The Governor shall take or cause to be taken all necessary steps for the appointment of at least one Member or the Chairperson at least three months before the expiry of the term of such Chairperson or Member, as the case may be, in accordance with the procedure laid down in this Act.
Provided that no decision of the Lokayukta shall be invalidated due to vacancy or non-availability or non-appointment of the Chairperson or Members."

Amendment of Section 20. 4. (1) In sub-section (3) of Section 20 of the Principal Act, the words "consisting of not less than three Members" shall be deleted.
(2) In sub-section (7) of Section 20 of the Principal Act, the words "consisting of not less than three Members" shall be deleted.

Amendment of Section 36. 5. In sub-section (1) of Section 36 of the Principal Act the word "Lokpal" shall be substituted with the word "Lokayukta".

STATEMENT OF OBJECT AND REASONS

The Meghalaya Lokayukta (Amendment) Bill, 2021 is proposed to further amend the Meghalaya Lokayukta Act, 2014 so as to confer discretion on the Government to constitute either a single member or multi member Lokayukta having regard to size of the State, number of cases and financial implication in maintaining a multi member Lokayukta.

Hence, this Bill.

CONRAD K. SANGMA

Chief Minister.

ANDREW SIMONS,

Commissioner & Secretary,
Meghalaya Legislative Assembly.

FINANCIAL MEMORANDUM

No additional expenditure from the State exchequer will be incurred for enforcing the proposed Meghalaya Lokayukta (Amendment) Bill, 2021.



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GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATION

The 10th March, 2021.

No.LB.46/LA/2021/2. – The Meghalaya (Sales of Petroleum and Petroleum Products including Motor Spirit) Taxation (Amendment) Bill, 2021 introduced in the Meghalaya Legislative Assembly on the 10th March, 2021 together with the Statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

THE MEGHALAYA (SALES OF PETROLEUM AND PETROLEUM PRODUCTS INCLUDING MOTOR SPIRIT) TAXATION (AMENDMENT) BILL, 2021

**A
BILL**

further to amend the Meghalaya (Sales of Petroleum and Petroleum Products, including Motor Spirit) Taxation Act (Assam Act No. IX of 1956 as adapted and amended by Meghalaya).

Be it enacted by the Legislature of the State of Meghalaya in the Seventy-second Year of the Republic of India as follows:-

Short title, extent and commencement.	1. (1) This Act may be called the Meghalaya (Sales of Petroleum and Petroleum Products, including Motor Spirit) Taxation (Amendment) Act, 2021. (2) It shall extend to the whole of Meghalaya. (3) It shall come into force with effect from 1 st April, 2021.
Amendment of Section 3.	2. In the Meghalaya (Sales of Petroleum and Petroleum Products, including Motor Spirit) Taxation Act (Assam Act No. IX of 1956 as adapted and amended by Meghalaya) hererinafter referred to as the principal Act, for the existing sub-section (1) of Section 3 the following shall be substituted,- "(1) There shall be levied and collected from every dealer a tax on sales of the following goods at rates to be prescribed by the State Government by notification from time to time:- (i) Motor Spirit (except diesel oil and internal combustion oil other than petrol). (ii) Diesel oil and other combustion oil other than petrol. (iii) Crude oil (iv) Petroleum coke. (v) Petroleum gas and natural gas. (vi) Aviation turbine fuel." 3. The existing Section 3A as inserted by clause (ii) of para 3 of the Meghalaya Taxation Laws (Amendment) Act, 1998 (Meghalaya Act No.4 of 1998) shall be omitted and further Section 3A as inserted by para 2 of the Meghalaya (Sales of Petroleum and Petroleum Products, including Motor Spirit and Lubricants) Taxation (Amendment) Act, 1973 (Meghalaya Act 22 of 1973) shall be substituted by new Section 3 A in the principal Act as follows,- "3A. (1) Subject to the provisions of this section, every dealer shall be liable to pay, in addition to tax under Section 3 and any other dues payable under any law for the time being in force, a surcharge, hereinafter referred to as "Pollution Surcharge" on his sales of taxable goods. (2) The rate of Pollution Surcharge shall be as prescribed by the State Government by way of a notification:
Omission and substitution of Section 3A	
"Pollution Surcharge on sales	

Provided that the amount of Pollution Surcharge payable by a dealer for any return period as prescribed under this Act shall be rounded off to the nearest rupee.

(3) The Pollution Surcharge shall be payable as if it were a tax under Section 3 of this Act, and the provisions of this Act including the rules thereunder shall accordingly apply and the authorities for the time being empowered to collect and enforce payment of the said tax under Section 3 shall, unless otherwise provided for by or under this Act, within their respective jurisdiction of the purpose of the said tax, accordingly collect and enforce payment of the Pollution Surcharge:

Provided that the State Government may, for facilitating implementation, by notification, direct that in any case or class of cases, the provisions of this Act including the rules thereunder shall apply subject to such indications not inconsistent with the provisions of this Section and as may be specified in such notification.

(4) Notwithstanding anything contained in sub-section (3), the State Government may make rules generally for securing the payment of the Pollution Surcharge and carrying into effect the provisions of sub-sections (1) and (2) and in particular for ensuring the proper maintenance and rendering of accounts of the Pollution Surcharge.

Explanation- For the purpose of this Section the word "Pollution Surcharge" shall mean the additional levy on retail sale of Motor Spirit and High Speed Diesel."

Insertion of new Section 44A.

In the principal Act, after the existing Section 44 the following new Section 44A shall be inserted:-

"Savings

"44A. Notwithstanding anything contained in any notifications issued or purported to have been issued in exercise of the powers conferred under Section 3 of this Act, the tax and surcharge thereof shall, for all purposes, be deemed to be and to have always been validly levied and collected under the provisions of the said principal Act and all actions taken, done and orders made or issued as a consequent of such notifications, were taken, done and orders issued under the provisions of the principal Act."

STATEMENT OF OBJECTS AND REASONS

It is necessary to raise revenue to the State for funding the incentives proposed in the Meghalaya Electric Vehicle Policy, 2021, and for this purpose the Meghalaya (Sales of Petroleum and Petroleum Products including Motor Spirit) Taxation Act (Assam Act No. IX of 1956 as adapted and amended by Meghalaya) Amendment Bill, 2021, is proposed.

Hence, this Bill.

JAMES P. K. SANGMA,
Minister-in-charge, Taxation.

ANDREW SIMONS,
Commissioner & Secretary,
Meghalaya Legislative Assembly.

FINANCIAL MEMORANDUM

The provisions of this Bill when enacted and enforced will be administered by the staff of the Taxation Department and no additional expenditure will be necessary for the purpose.

JAMES P. K. SANGMA,
Minister-in-charge, Taxation.



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PART-V

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATION

The 10th March, 2021.

No.LB.47/LA/2021/2. – The Meghalaya Fiscal Responsibility and Budget Management (Amendment) Bill, 2021 introduced in the Meghalaya Legislative Assembly on the 10th March, 2021 together with the Statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

**THE MEGHALAYA FISCAL RESPONSIBILITY AND BUDGET MANAGEMENT
(AMENDMENT) BILL, 2021**

**A
BILL**

to amend the Meghalaya Fiscal Responsibility and Budget Management Act, 2006.

Be it enacted by the Legislature of the State of Meghalaya on the Seventy-second Year of the Republic of India as follows:-

**Short title and
Commencement.**

1. (1) This Act may be called the Meghalaya Fiscal Responsibility and Budget Management (Amendment) Act, 2021.
(2) It shall come into force at once.

Amendment of Section 4.

2. In section 4 of the Meghalaya Fiscal Responsibility and Budget Management Act, 2006, in sub-section (1), for clause (b)(i), the following shall be substituted, namely-

"(b)(i) to maintain fiscal deficit to an annual limit of 5% of GSDP to provide additional resources to fight the COVID-19 pandemic and maintain the standards of service delivery to the public during the Fiscal Year 2020-21".

Repeal & Savings.

3. (1) The Meghalaya Fiscal Responsibility and Budget Management (Amendment) Ordinance 2021 (Ordinance No. 2 of 2021) is hereby repealed.
(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the provisions of this Act.

STATEMENT OF OBJECT AND REASONS

The unprecedented COVID-19 pandemic has had a serious negative impact on the resources of both the Central and State Governments. The States require additional resources to fight the pandemic and maintain the standards of service delivery to the public. To strengthen resources in the hands of the State Governments, the Central Government has provided additional borrowing limit up to 2 percent of Gross State Domestic Product (GSDP) for the fiscal year 2020-21, subject to implementation of specific State Level Reforms and amendment of the State's Fiscal Responsibility and Budget Management Act.

In view of circumstances stated above, an immediate legislation was necessitated. As such, the Hon'ble Governor had promulgated an Ordinance of the Meghalaya Fiscal Responsibility and Budget Management (Amendment) Ordinance, 2021 on the 22nd February, 2021 under clause (1) of Article 213 of the Constitution of India.

Therefore, now that the Assembly is in session, a Bill seeking to replace the above Ordinance, without modification is necessary to be introduced in the House by way of a Bill, namely, the Meghalaya Fiscal Responsibility and Budget Management (Amendment) Bill, 2021.

Hence, the Bill.

CONRAD K. SANGMA,
Chief Minister, i/c Finance

ANDREW SIMONS,
Commissioner & Secretary,
Meghalaya Legislative Assembly.

FINANCIAL MEMORANDUM

As the amendment will raise the borrowing limit of the State, there will be expenditure on payment of interest and repayment of principal to be incurred from the Consolidated Fund of the State on implementing the provisions of this Act.



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PART-I

GOVERNMENT OF MEGHALAYA LAW (B) DEPARTMENT

----- NOTIFICATION

The 9th March, 2021.

No.LJ (B) 4/2018/130.- In exercise of the powers conferred by sub-section (1) of Section 20 of the Code of Criminal Procedure, 1973 the Governor of Meghalaya hereby appoints the following Officers as Executive Magistrates and further under sub-section (2) thereof, as Flying Squad, Static Surveillance Team in connection with the forthcoming Bye-Election to the Member of Legislative Assembly, for 13-Mawryngkneng (ST) Assembly Constituency.

Sl. No.	Name of Officers and Designation	Area of Jurisdiction of the power of Executive Magistrates	To be placed with District/Sub-Division
Sl. No. NAME OF ZONAL OFFICERS			
1.	Shri Tokerlin Khonglah, Asst. Chief Engineer, O/o C.E., PWD (Buildings).	East Khasi Hills District	Deputy Commissioner, East Khasi Hills.
2.	Shri Evergreen Dohling, Deputy Director, O/o Director of Local Fund Audit.	-do-	-do-
Sl. No. NAME OF SECTOR OFFICERS			
1.	Shri Banrilang Kharsati, IPO, O/o District Commerce & Industries Centre.	East Khasi Hills District	Deputy Commissioner, East Khasi Hills.
2.	Shri N. L. Tariang, Asst. Director Border Area, O/o The Deputy Commissioner, E.K.H.	-do-	-do-
3.	Shri R. Lyngdoh, AE, O/o BDO Mawryngkneng C & RD Block.	-do-	-do-
4.	Shri G. Langstieh, Functional Manager, O/o General Manager, DCIC, Lumjingshai, Shillong.	-do-	-do-

5.	Shri Handerson Chulet, Agriculture Development Officer (INFO), Directorate of Agriculture, Meghalaya, Shillong.	-do-	-do-
6.	Shri Alfred R. Raphap, Senior Co-operative Officer, Asst. Registrar of Cooperative Societies, Shillong.	-do-	-do-
7.	Shri Dolreich Joseph Diengdoh, Assistant Executive Engineer, Office of the Executive Engineer, PWD (Roads) Shillong Central Division, Shillong.	-do-	-do-
8.	Shri S. Myrthong, AE, PWD Building (Design Section).	-do-	-do-

M. M. SANGMA,
Joint Secretary to the Govt. of Meghalaya,
Law (B) Department.



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PART-I

GOVERNMENT OF MEGHALAYA LAW (B) DEPARTMENT

NOTIFICATION

The 9th March, 2021.

No.LJ (B) 4/2018/131. - In exercise of the powers conferred by sub-section (1) of Section 20 of the Code of Criminal Procedure, 1973 the Governor of Meghalaya hereby appoints the following Officers as Executive Magistrates and further under sub-section (2) thereof, as Flying Squad, Static Surveillance Team in connection with the forthcoming Bye-Election to the Member of Legislative Assembly, for 13-Mawryngkneng (ST) Assembly Constituency.

Sl. No.	Name of Officers and Designation	Area of Jurisdiction of the powers of Executive/ Sector/Zonal Magistrates	To be placed with District/Sub-Division
FLYING SQUAD TEAM (FST)			
1.	Shri Remdor B. Dkhar, Asstt. Dir. of Agriculture (INFO), O/o The Directorate of Agriculture.	East Khasi Hills District	Deputy Commissioner, East Khasi Hills
2.	Shri Anthony Q. Kharlyngdoh, Senior Cooperative Officer, Asst. Registrar of Cooperative Societies, Shillong.	-do-	-do-
3.	Shri K. Synrem, Assistant Soil & Water Conservation Officer.	-do-	-do-
4.	Shri Louis Victor Khonglah, Asst. Director of Agriculture (Training) O/O District Training Officer, East Khasi Hills, Shillong.	-do-	-do-
STATIC SURVEILLANCE TEAM (SST)			
1.	Shri Yoofranky H. Laloo, AEE, Meghalaya State Pollution Control Board.	-do-	-do-

2.	Shri Heslington Khyriem, Assistant Director, Professional Development Cell Mati.		
3.	Shri Elangmiki Shullai, Asst. Urban Planner, Urban Affairs		
4.	Shri Meban Lyngdoh, AEE, NH Sub-Division, Barik Campus.		

This is for favour of your kind information and necessary action.

M. M. SANGMA,
Joint Secretary to the Govt. of Meghalaya,
Law (B) Department.